

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Eric Johnson

DEFENDANTS

FlexCo, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Alexander Malbin, Esq. & Edmund J. Ferdinand, III, Esq.
FERDINAND IP, LLC
125 Park Avenue, 25th Floor, Suite 2508 New York, NY 10017
(212) 220-0523

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Direct and secondary copyright infringement in violation of 17 U.S.C. §§ 501 et seq.

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE	[] 422 APPEAL	[] 400 STATE
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	MED MALPRACTICE	[] 620 OTHER FOOD &	28 USC 158	REAPPORTIONMENT
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	DRUG	[] 423 WITHDRAWAL	[] 410 ANTITRUST
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 625 DRUG RELATED	28 USC 157	[] 430 BANKS & BANKING
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL	SEIZURE OF		[] 450 COMMERCE
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT	PROPERTY	PROPERTY RIGHTS	[] 460 DEPORTATION
OVERPAYMENT &	EMPLOYERS'	LIABILITY	21 USC 881	[] 820 COPYRIGHTS	[] 470 RACKETEER INFLU-
ENFORCEMENT	LIABILITY	PERSONAL PROPERTY	[] 630 LIQUOR LAWS	[] 830 PATENT	ENCED & CORRUPT
OF JUDGMENT	[] 340 MARINE		[] 640 RR & TRUCK	[] 840 TRADEMARK	ORGANIZATION ACT
MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 650 AIRLINE REGS		(RICO)
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	[] 660 OCCUPATIONAL		[] 480 CONSUMER CREDIT
DEFAULTED	[] 350 MOTOR VEHICLE	[] 380 OTHER PERSONAL	SAFETY/HEALTH	SOCIAL SECURITY	[] 490 CABLE/SATELLITE TV
STUDENT LOANS	[] 355 MOTOR VEHICLE	PROPERTY DAMAGE	[] 690 OTHER	[] 861 HIA (1395ff)	[] 810 SELECTIVE SERVICE
(EXCL VETERANS)	PRODUCT LIABILITY	[] 385 PROPERTY DAMAGE	LABOR	[] 862 BLACK LUNG (923)	[] 850 SECURITIES/
RECOVERY OF	[] 360 OTHER PERSONAL	PRODUCT LIABILITY	[] 710 FAIR LABOR	[] 863 DIWC/DIWW (405(g))	COMMODITIES/
OVERPAYMENT	INJURY		STANDARDS ACT	[] 864 SSID TITLE XVI	EXCHANGE
OF VETERAN'S		PRISONER PETITIONS	[] 720 LABOR/MGMT	[] 865 RSI (405(g))	[] 875 CUSTOMER
BENEFITS	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO	RELATIONS		CHALLENGE
[] 160 STOCKHOLDERS	CIVIL RIGHTS	VACATE SENTENCE	[] 730 LABOR/MGMT	FEDERAL TAX SUITS	12 USC 3410
SUITS	[] 441 VOTING	20 USC 2255	REPORTING &	[] 870 TAXES (U.S. Plaintiff or	[] 890 OTHER STATUTORY
[] 190 OTHER	[] 442 EMPLOYMENT	[] 530 HABEAS CORPUS	DISCLOSURE ACT	Defendant)	ACTIONS
CONTRACT	[] 443 HOUSING/	[] 535 DEATH PENALTY	[] 740 RAILWAY LABOR ACT	[] 871 IRS-THIRD PARTY	[] 891 AGRICULTURAL ACTS
[] 195 CONTRACT	ACCOMMODATIONS	[] 540 MANDAMUS & OTHER	[] 790 OTHER LABOR	26 USC 7609	[] 892 ECONOMIC
PRODUCT	[] 444 WELFARE		LITIGATION		STABILIZATION ACT
LIABILITY	[] 445 AMERICANS WITH	PRISONER CIVIL RIGHTS	[] 791 EMPL RET INC		[] 893 ENVIRONMENTAL
[] 196 FRANCHISE	DISABILITIES -	[] 550 CIVIL RIGHTS	SECURITY ACT		MATTERS
	EMPLOYMENT	[] 555 PRISON CONDITION			[] 894 ENERGY
REAL PROPERTY	[] 446 AMERICANS WITH		IMMIGRATION		ALLOCATION ACT
[] 210 LAND	DISABILITIES -OTHER		[] 462 NATURALIZATION		[] 895 FREEDOM OF
CONDEMNATION	(Non-Prisoner)		APPLICATION		INFORMATION ACT
[] 220 FORECLOSURE			[] 463 HABEAS CORPUS-		[] 900 APPEAL OF FEE
[] 230 RENT LEASE &			ALIEN DETAINEE		DETERMINATION
EJECTMENT			OTHER IMMIGRATION		UNDER EQUAL
[] 240 TORTS TO LAND			ACTIONS		ACCESS TO JUSTICE
[] 245 TORT PRODUCT					[] 950 CONSTITUTIONALITY
LIABILITY					OF STATE STATUTES
[] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☒ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.

 EX
 #CA
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(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Eric Johnson
 472 Ninth Avenue, #3
 New York, NY 10018
 New York County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

FlexCo, LLC
 4 Faith Lane
 Ardsley, NY 10502
 Westchester County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 09/23/2015 SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☒ YES (DATE ADMITTED Mo. 01 Yr. 2013)
 Attorney Bar Code # AM9385

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)